

C. State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the

outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

ANSWER: The Defendants are not publicly owned.

D. State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

ANSWER: The Complaint was filed in this Division because the accident is alleged to have occurred in the Cherokee County, SC, which is encompassed by this Division.

E. Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical translations, happenings or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.¹

ANSWER: This matter is not related to any other matter.

F. If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

ANSWER: The Defendants are properly identified, though the Defendants dispute liability.

G. If you contend that some other person of legal entity is, in whole or in part, liable to you or the other party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

ANSWER: Defendants have not made any such determination yet at this time. The Plaintiff is an alleged passenger in a work truck which was involved in the accident. The driver of that work truck may have played a role in the accident. Discovery is ongoing.

H. [Parties or Intervenor in a Diversity Case.] In an action in which jurisdiction is based on diversity under 28 U.S.C SS 1332(a), a party or intervenor must, unless the court orders otherwise, name – and identify the citizenship of – every individual or entity whose citizenship is attributed to the party or intervenor. This response must be supplemented when any later even occurs that could affect the court’s jurisdiction under SS 1332(a).

ANSWER: Defendant Johnson’s “citizenship” is in Georgia. Defendant Dos Hijas Trucking, LLC is now defunct. However, it organized under the laws of the State of Texas and it’s principal place of business was Texas. The sole member of the LLC is a “citizen” of the state of Texas.

Respectfully submitted,

SWEENEY, WINGATE & BARROW, P.A.

s/Adam M. Crain
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